

Message Text

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FM SECSTATE WASHDC

TO USDEL SECRETARY IMMEDIATE

C O N F I D E N T I A L STATE 179739 TOSEC 080215

EXDIS FOR BREMER FYI

FOL SENT ACTION TO LUSAKA JUL 30, 1975 FROM SECSTATE

QUOTE C O N F I D E N T I A L STATE 179739

EXDIS

E.O. 11652:GDS

TAGS: PFOR, ZA, US

SUBJECT: INSPECTION OF ZAMBIAN COMMUNICATIONS SHIPMENT

1. ON SUNDAY NIGHT, JULY 27, US CUSTOMS OFFICIALS MADE SURPRISE INSPECTION OF LARGE SHIPMENT OF COMMUNICATIONS GEAR PURCHASED FOR ZAMBIAN EMBASSY BY MARSHALL SOGHOIAN AND SCHEDULED TO DEPART DULLES AT 0600 MONDAY, JULY 28. PURPOSE OF INSPECTION WAS TO DETERMINE WHETHER EMBASSY HAD OBTAINED ALL NECESSARY MUNITIONS CONTROL AND/OR DEPT. OF COMMERCE LICENSES. SHIPMENT WAS BEING SENT VIA REGULAR AIR FREIGHT AND WAS NOT COVERED BY ANY FORM OF DIPLOMATIC IMMUNITY. INSPECTION WAS EXPLAINED TO EMBASSY AS ROUTINE RANDOM SEARCH TO ASCERTAIN WHETHER REQUIRED LICENSES HAD BEEN OBTAINED AND WAS UNDERTAKEN ONLY AFTER AMBASSADOR MWALE TOLD CUSTOMS AND DEPTOFF BY PHONE THAT HE HAD NO OBJECTION TO SEARCH IF USG BELIEVED IT NECESSARY.

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2. INSPECTION TURNED UP ONE SUNAIR GSR-920 RECEIVER NOT LICENSED BY MUNITIONS CONTROL BUT LICENSED BY COMMERCE. QUESTION AROSE WHETHER RECEIVER WAS PROPERLY LICENSED. EMBASSY HAD APPLIED FOR, BUT HAD NOT YET OBTAINED, MUNITIONS CONTROL LICENSE. AFTER SOME AMICABLE DISCUSSION

USG OFFICERS AND ZAMBIAN EMBASSY AGREED THAT (A) RECEIVER SHOULD BE REMOVED FROM SHIPMENT, (B) REMAINDER OF SHIPMENT COULD BE EXPORTED ON SCHEDULE, (C) ZAMBIAN EMBASSY WOULD HOLD RECEIVER UNTIL MUNITIONS CONTROL LICENSE OBTAINED, AND (D) EMBASSY WOULD SIGN PAPER PROMISING IT WOULD NOT EXPORT RECEIVER WITHOUT OBTAINING MUNITIONS CONTROL LICENSE. ALL PARTIES WERE PLEASED WITH RESOLUTION OF MATTER AND ARE PREPARED TO CONSIDER CASE CLOSED.

3. HOWEVER, DEPT. RECEIVED CALL JULY 28 FROM FENSTERWALD, SOGHOIAN'S PERSONAL LAWYER, GIST OF WHICH WAS THAT SOGHOIAN IS RETURNING TO LUSAKA SOON AND MAY TELL PRESIDENT KAUNDA THAT USG IS "HARRASSING" HIM. DEPTOFF EXPLAINED TO FENSTERWALD THAT USG IS NOT OUT TO GET SOGHOIAN, THAT INSPECTION WAS ROUTINE MATTER CONDUCTED IN PRESENCE OF ZAMBIAN EMBASSY OFFICER (SILWEYA) AND SOGHOIAN HIMSELF, AND THAT SOGHOIAN COULD NEEDLESSLY JEOPARDIZE US/ZAMBIAN RELATIONS BY RAISING ISSUE WITH KAUNDA. FENSTERWALD APPEARED TO SEE MERIT IN EXPLANATION AND SAID HE WOULD TRY TO COOL SOGHOIAN OFF BEFORE HE LEFT AT END OF WEEK. IN RESPONSE TO DEPTOFF'S SUGGESTION THAT EMBASSY CONSIDER ADVANTAGES OF (A) OBTAINING ALL LICENSES WELL BEFORE NEXT AND FINAL SHIPMENT SCHEDULED TO DEPART, AND (B) RETAINING A LEGAL OR ADMINISTRATIVE SPECIALIST TO OVERSEE LICENSE-ISSUING PROCESS, FENSTERWALD SAID HE WOULD SUGGEST THESE STEPS TO EMBASSY.

4. AMB. MWALE TOLD DEPTOFF HE APPRECIATED DEPT.'S INTEREST AND HELPFULNESS AT TIME OF AIRPORT INSPECTION AND WAS PLEASED AND RELIEVED INCIDENT DID NOT CAUSE ANY SERIOUS PROBLEMS.

5. WE HOPEFUL SOGHOIAN'S WRATH WILL FADE BEFORE HE GETS TO LUSAKA BUT EXPECT HE WILL AT LEAST MENTION INCIDENT
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TO KAUNDA. IF GRZ QUESTIONS YOU ON INSPECTION AND/OR STATUS OF SOGHOIAN, YOU SHOULD REQUEST GUIDANCE FROM DEPT. MEMORANDUM ON INSPECTION ALREADY POUCHED YOU. INGERSOLL
UNQUOTE INGERSOLL

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